Serial No. 09/664,329
Art Unit No. 2642

REMARKS

Applicants are submitting this Amendment in response to the Office Action dated January 27, 2004. Applicants regret the oversight in not responding to the 102 rejection based on the Sawyer patent in the Amendment submitted on December 8, 2003; and Applicants appreciate that the Examiner has granted them an additional opportunity to address the rejections.

Claims 1-12 are currently pending in the patent application. The Examiner has rejected Claim 1 under 35 USC 102 as anticipated by the Sawyer patent; Claims 1-4 under 35 USC 102 as being anticipated by Williams, and Claims 5-12 under 35 USC 103 as unpatentable over the teachings of Williams in view of Sundqvist. For the reasons set forth below, Applicants respectfully assert that all of the pending claims, as amended, are patentable over the cited prior art.

The present invention teaches and claims a method of doing business wherein a wireline telephone company provides wireless telephone communication through a telephone network including the steps of providing a plurality of telephone

signals over one or more wireline connected to one or more network nodes in wireless communication proximity to one or more telephone users; and selectively responding to requests from one or more wireless devices for telephone network attachment through a wireless communication with the network node device based on wireless device user information provided to said network node. The selective responding is based on information which is either stored at the network node or provided dynamically to the network node (e.g., by a requesting user of a wireless device). The information may relate to the identity of the user, the identity of the wireless device, the service for which the user is a subscriber, etc.

The Sawyer patent is directed to a system and method for performing routing of calls between wirelines and wireless devices. A routing analysis is performed to determine if an incoming call is intended for a wireline or for a wireless application. Routing actions are then selected and performed based on the results of the routing analysis. The routing analysis of Williams is strictly based on the destination for the incoming call. The cited teachings at Col. 5, lines 40-67 are clearly directed to

routing an incoming call based on the destination. In contrast, the present invention responds to a request from a user of a wireless device based on an analysis of stored information about the requesting user (amended Claim 1 and all claims which depend therefrom). Clearly the Sawyer patent does not anticipate the claimed invention since Sawyer does not take into consideration the user or the source of a call when performing routing. Rather, Sawyer only analyzes the destination for the call.

For a patent to anticipate claim language under 35 USC 102, that patent must teach each and every claim feature. Since the Sawyer patent does not teach responding to user requests based on wireless device user information provided to the network node, it cannot be maintained that the Sawyer patent anticipates the claim language.

The cited Williams patent is directed to a method of providing wireless local loop operation with local mobility for a subscriber unit. A subscriber unit has a home access number which is stored at the unit. When the subscriber unit moves to a "visited" access network, the home access number is provided to the visited access network and is then relayed from there to the home access network for billing.

A visited access network will respond to any request within its area. The Williams patent does not teach selectively responding to requests for access based on wireless device user information provided to a network node.

For a patent to anticipate claim language under 35 USC 102, that patent must teach each and every claim feature. Since the Williams patent does not teach selectively responding to user requests, and does not teach such responding based on wireless device user information provided to the network node, it cannot be maintained that the Williams patent anticipates the claim language.

The Examiner has additionally cited the Sundqvist patent publication in rejecting Claims 5-12. The Sundqvist patent publication provides a system and method for allowing resource reservations to be made. Sundqvist introduces a service broker between a requesting user and a resource, and provides a bandwidth broker that controls the resource. A client contacts the service broker, who in turn contacts the bandwidth broker to determine if resources are available. The service broker also contacts a domain server for wireless access information related to the reservation request and then makes the resource reservation based on the

collected bandwidth and domain server information. The Examiner has cited the Sundqvist patent document for its teachings regarding priorities (paragraph 0008); however, the Sundqvist document does not teach or suggest that there is wireless device user information regarding priority provided to a network node device. Rather, Sundqvist simply teaches in paragraph 0008 that an advance reservation will take priority over an immediate request for a reservation. Such is not the same as nor suggestive of the claim language. Similarly, with regard to the cited passage from paragraph 0042 regarding service classes, Applicants note that the Sundqvist teachings relate to available service and not to wireless device user information which is related to subscriber service levels including multiplicity of permitted concurrent calls. Finally, with regard to the cited passage from paragraph 0064, Applicants note that the cited passage relates to direct reservation request handling, without a service broker. The cited passage does not teach or suggest bridging or conferencing.

Applicants respectfully assert that the combined teachings do not teach or suggest the invention as claimed since neither Williams nor Sundqvist teaches or suggests

selectively responding to user requests based on wireless device user information provided to the network node. Accordingly, Applicants respectfully request reconsideration of the claims as amended.

Based on the foregoing amendments and remarks, Applicants respectfully request entry of the amendments, reconsideration of the amended claim language in light of the remarks, withdrawal of the rejections, and allowance of the claims.

Respectfully submitted,

R. E. Chapman, Jr., et al

By: Anne Vachon Dougherty

Anne Vachon Dougherty
Registration No. 30,374
Tel. (914) 962-5910